

<i>Section of SB 69</i>	<i>Current Language</i>	<i>SB 69 Section Language</i>	<i>Changes with SB 69</i>
Section 1. That § 12-6-4 be amended to read as follows:	12-6-4. Petition required to place candidate's name on primary ballot--Place of filing. Except as provided by § 12-5-4 and as may be otherwise provided in chapter 12-9, no candidate for any office to be filled, or nomination to be made, at the primary election, other than a presidential election, may have that person's name printed upon the official primary election ballot of that person's party, unless a petition has been filed on that person's behalf not prior to January first, and not later than the last Tuesday of March at five p.m. prior to the date of the primary election. If the petition is mailed by registered mail by the last Tuesday of March at five p.m. prior to the primary election, the petition shall be considered filed. A nominating petition for national convention delegates and alternates as provided in § 12-5-3.11 shall be filed in accordance with the provisions of this section. Nominating petitions for all party and public offices except legislative and judicial offices shall be filed in the office of the county auditor of the county in which the person is a candidate. Nominating petitions for legislative and judicial office whether elected in one or more counties, and all other party and public offices to be voted on in more than one county shall be filed in the Office of the Secretary of State.	12-6-4. Except as provided by § 12-5-4 and as may be otherwise provided in chapter 12-9, no candidate for any office to be filled, or nomination to be made, at the primary election, other than a presidential election, may have that person's name printed upon the official primary election ballot of that person's party, unless a petition has been received in the office of the person in charge of that election on that person's behalf not prior to December first of the year preceding the election, and not later than the first Tuesday of March at five p.m. prior to the date of the primary election. A nominating petition for national convention delegates and alternates as provided in § 12-5-3.11 shall be filed in accordance with the provisions of this section. Nominating petitions for all party and public offices except legislative and judicial offices shall be received in the office of the county auditor of the county in which the person is a candidate. Nominating petitions for legislative and judicial office whether elected in one or more counties, and all other party and public offices to be voted on in more than one county shall be received in the Office of the Secretary of State.	1. The petition circulation time frame changes from January 1st through the last Tuesday in March to December 1st through the first Tuesday in March. 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail, however the petition must be received in the Office of the Secretary of State by 5:00 pm on the deadline date.
Section 2. That § 46A-3B-4 be amended to read as follows:	46A-3B-4. Nomination of director candidates. A director candidate may be nominated by a petition signed by at least twenty-five registered voters in the director area to be represented by the candidate. Nominating petitions shall be made available at the water development district office, the secretary of state's office, and the respective county auditors' offices on forms prescribed by the state election board and filed with the secretary of state not prior to eight a.m., January first, and not later than five p.m., the last Tuesday of March prior to the date of the primary election. If a petition is mailed to the secretary of state's office by registered mail by five p.m., the last Tuesday of March prior to the primary election, it is considered filed. For the initial election, director nominating petitions shall be made available by the Department of Environment and Natural Resources and shall be filed with the department not later than five p.m., the first Tuesday of August before the general election or in the case of a special election under § 46A-3B-1, not later than thirty days before the date set for the special election.	46A-3B-4. A director candidate may be nominated by a petition signed by at least twenty-five registered voters in the director area to be represented by the candidate. Nominating petitions shall be made available at the water development district office, the secretary of state's office, and the respective county auditors' offices on forms prescribed by the state election board and received in the Office of the Secretary of State not prior to December first of the year preceding the election, and not later than five p.m., the first Tuesday of March prior to the date of the primary election. For the initial election, director nominating petitions shall be made available by the Department of Environment and Natural Resources and shall be received by the department not later than five p.m., the first Tuesday of August before the general election or in the case of a special election pursuant to § 46A-3B-1, not later than thirty days before the date set for the special election.	1. The petition circulation time frame changes from January 1st through the last Tuesday in March to December 1st through the first Tuesday in March. 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail. A candidate can still mail their petitions by registered mail, however the petition must be received in the Office of the Secretary of State by 5:00 pm on the deadline date.
Section 3. That § 12-11-3 be amended to read as follows:	12-11-3. Filing of nominations--Certification--Conduct of elections. Each party nomination and independent petition shall be filed with the secretary of state not less than forty-five days preceding any election which is not combined with a primary or general election. If the election is conducted with a primary election, each party nomination and independent petition shall be filed by the last Tuesday in March. Each nomination shall be certified in a like manner as any other nomination for the purpose of a general election. The election shall be conducted, canvassed, and the results certified as in a general election. If the election is conducted with a general election, each party nomination and independent petition shall be filed by the second Tuesday in August.	12-11-3. Each party nomination and independent petition shall be received in the Office of the Secretary of State not less than sixty-five days preceding any election that is not combined with a primary or general election. If the election is conducted with a primary election, each party nomination and independent petition shall be received by the first Tuesday in March. Each nomination shall be certified in a like manner as any other nomination for the purpose of a general election. The election shall be conducted, canvassed, and the results certified as in a general election. If the election is conducted with a general election, each party nomination and independent petition shall be received by the second Tuesday in August.	If the election is conducted with the primary election, the petition circulation deadline date changes from the last Tuesday in March to the first Tuesday in March.

<p>Section 4. That § 12-6-4.1 be amended to read as follows:</p>	<p>12-6-4.1. Earliest time for circulating petitions or certificates. No petition or certificate of nomination covered by this chapter may be circulated prior to the first day of January of the year in which the election will be held.</p>	<p>12-6-4.1. No petition or certificate of nomination subject to the provisions of this chapter may be circulated prior to the first day of December of the year preceding the election.</p>	<p>The date to begin circulating a nominating petition changes from the first day in January to the first day in December.</p>
<p>Section 5. That § 12-6-7 be amended to read as follows:</p>	<p>12-6-7. Petition composed of several sheets--Number of signers required. A nominating petition may be composed of several sheets, which shall have identical headings printed at the head thereof. The petition for party office or political public office shall be signed by not less than one percent of the voters who cast their vote for that party's gubernatorial candidate at the last gubernatorial election in the county, part of the county, district, or state electing a candidate to fill the office.</p>	<p>12-6-7. A nominating petition may be composed of several sheets, which shall have identical headings printed at the head of each sheet. The petition for party office or political public office shall be signed by not less than one percent of the voters registered for the candidate's political party at the last general election in the county, part of the county, district, or state electing a candidate to fill the office</p>	<p>The base for calculating the number of signers changes from not less than fifty voters or not less than one percent of the voters who cast their vote for the party's gubernatorial candidate at the last gubernatorial election, whichever is less to not less than fifty voters or not less than one percent of the voters registered for the candidates political party at the last general election, whichever is less.</p>
<p>Section 6. That § 12-6-7.1 be amended to read as follows:</p>	<p>12-6-7.1. Petition for candidate for Legislature, county political public office, or county party office. Notwithstanding the provisions of § 12-6-7 a nominating petition for a candidate for office in the State Legislature, county political public office, and county party office shall be signed by not less than fifty voters or not less than one percent of the voters who cast their vote for the party's gubernatorial candidate, whichever is less. The petition shall clearly designate the senatorial or representative district for which said individual is a candidate.</p>	<p>12-6-7.1. Notwithstanding the provisions of § 12-6-7 a nominating petition for a candidate for office in the State Legislature, county political public office, and county party office shall be signed by not less than fifty voters or not less than one percent of the voters registered for the candidate's political party at the last general election, whichever is less. The petition shall clearly designate the senatorial or representative district for which the person is a candidate.</p>	<p>The base for calculating the number of signers changes from not less than fifty voters or not less than one percent of the voters who cast their vote for the party's gubernatorial candidate at the last gubernatorial election, whichever is less to not less than fifty voters or not less than one percent of the voters registered for the candidates political party at the last general election, whichever is less.</p>
<p>Section 7. That § 12-6-8 be amended to read as follows:</p>	<p>12-6-8. Time and manner of signing petition--Declaration of candidate--Verification--Signing for independent or nonpolitical candidate. No person may sign the nominating petition of a candidate before January first in the year in which the election is to be held, nor for whom the person is not entitled to vote, nor for a political candidate of a party of which the person is not a member, nor of more than the number of candidates required to be nominated for the same office. There shall be added by either the signer or the circulator, the signer's place of residence, and the date of signing. The signer's post office box number may be given in lieu of a street address if the signer lives within a municipality of the second or third class. A formal declaration of the candidate shall be signed by the circulator prior to the circulation of petitions. The signed declaration of the candidate, or a facsimile thereof, may accompany and be a part of the petition. The original signed declaration shall accompany the group of petitions upon filing. The petition shall be verified under oath by the persons circulating the petition. The verification by the person circulating the petition may not be notarized by the candidate whom the petition is nominating. The provisions of this section may not prohibit a person registered with party affiliation from signing either a petition nominating an independent or a nonpolitical candidate for office if the person has not previously signed a petition for that office to be filled.</p>	<p>12-6-8. No person may sign the nominating petition of a candidate before December first of the year preceding the election, nor for whom the person is not entitled to vote, nor for a political candidate of a party of which the person is not a member, nor of more than the number of candidates required to be nominated for the same office. There shall be added by either the signer or the circulator, the signer's place of residence, and the date of signing. The signer's post office box number may be given in lieu of a street address if the signer lives within a municipality of the second or third class. A formal declaration of the candidate shall be signed by the circulator prior to the circulation of petitions. The signed declaration of the candidate, or a facsimile thereof, may accompany and be a part of the petition. The original signed declaration shall accompany the group of petitions upon being received by the office of the person in charge of that election. The petition shall be verified under oath by the persons circulating the petition. The verification by the person circulating the petition may not be notarized by the candidate whom the petition is nominating. The provisions of this section prohibit a person registered with a recognized political party from signing a petition nominating an independent candidate for office. The provisions of this section do not prohibit a person registered with a recognized political party from signing a petition nominating a nonpolitical candidate for office.</p>	<p>1. The date to begin circulating a nominating petition changes from the first day in January to the first day in December. 2. Prohibits a person registered with a recognized political party from signing a petition to nominate an independent for office.</p>

<p>Section 8. That § 12-7-1 be amended to read as follows:</p>	<p>12-7-1. Certificate required for nomination--Number of signatures--Certification of candidate for lieutenant governor or vice president. Any candidate for nonjudicial public office, except as provided in § 12-7-7, who is not nominated by a primary election may be nominated by filing with the secretary of state or county auditor as prescribed by § 12-6-4, not prior to January first at 8:00 a.m. and not later than the last Tuesday of April at 5:00 p.m. prior to the election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the last Tuesday of April at 5:00 p.m. prior to the election, it is timely submitted. The certificate of nomination shall be signed by registered voters within the district or political subdivision in and for which the officers are to be elected. The number of signatures required may not be less than one percent of the total combined vote cast for Governor at the last certified gubernatorial election within the district or political subdivision. An independent candidate for Governor shall certify the candidate's selection for lieutenant governor to the secretary of state prior to circulation of the candidate's nominating petition. The candidate and the candidate's selection for lieutenant governor or vice president shall sign the certification before it is filed. The State Board of Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the certificate of nomination and the certification for lieutenant governor.</p>	<p>12-7-1. Any candidate for nonjudicial public office, except as provided in § 12-7-7, who is not nominated by a primary election may be nominated by submitting with the secretary of state or county auditor pursuant to § 12-6-4, not prior to December first of the year preceding the election and not later than the last Tuesday of April at 5:00 p.m. prior to the election, a certificate of nomination which shall be executed as provided in chapter 12-6. The certificate of nomination shall be signed by registered voters within the district or political subdivision in and for which the officers are to be elected. The number of signatures required may not be less than one percent of the number of registered voters having no party affiliation or voters registered as other, at the last general election within the district or political subdivision. An independent candidate for Governor shall certify the candidate's selection for lieutenant governor to the secretary of state prior to circulation of the candidate's nominating petition. The candidate and the candidate's selection for lieutenant governor or vice president shall sign the certification prior to it being received by the Office of the Secretary of State. If the independent candidate for lieutenant governor declares that he or she is not running, then the independent candidate for lieutenant governor shall withdraw pursuant to § 12-6-55. If an independent candidate for lieutenant governor withdraws, no independent candidate for governor may have his or her name printed upon a ballot unless a replacement selection for lieutenant governor is certified to the secretary of state by the second Tuesday in August. The State Board of Elections shall promulgate rules, pursuant to chapter 1-26, prescribing the forms for the certificate of</p>	<p>1. The date to begin circulating a nominating petition changes from the first day in January to the first day in December. 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail, however the petition must be received in the Office of the Secretary of State by 5:00 pm on the deadline date. 3. The base for calculating the number of signers changes from not less than fifty voters or not less than one percent of the voters who cast their vote for the party's gubernatorial candidate at the last gubernatorial election, whichever is less to not less than fifty voters or not less than one percent of the voters registered for the candidates political party at the last general election, whichever is less. 4. Adds a requirement for an independent candidate for lieutenant governor who wants to withdraw to do so pursuant to SDCL 12-6-55. 5. Adds a final date for a replacement selection for an independent candidate for lieutenant governor to be certified to the secretary of state by the second Tuesday in August.</p>
<p>Section 9. That § 12-5-3.8 be amended to read as follows:</p>	<p>12-5-3.8. Certification of slates for primary--Placement on ballot. If a political party chooses to have a primary for selection of its delegates and alternates to the national convention, the party shall certify the candidate names or the delegate and alternate slates which are to be listed on the primary ballot to the secretary of state by the last Tuesday in March preceding the primary by five p.m. Only candidates or slates certified may be placed on the ballot by the secretary of state and the position of the candidates or slates on the primary ballot shall be chosen by lot by the secretary of state. The certification shall be deemed to be filed if mailed by registered mail by five p.m. on the last Tuesday in March.</p>	<p>12-5-3.8. If a political party chooses to have a primary for selection of the party's delegates and alternates to the national convention, the party shall certify the candidate names or the delegate and alternate slates which are to be listed on the primary ballot to the secretary of state by the first Tuesday in March preceding the primary by five p.m. Only candidates or slates certified may be placed on the ballot by the secretary of state and the position of the candidates or slates on the primary ballot shall be chosen by lot by the secretary of state</p>	<p>1. Changes the certification of a party's delegates and alternates to the national convention to be certified to the secretary of state by the first Tuesday in March (currently it is the last Tuesday in March). 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail, however the petition must be received in the Office of the Secretary of State by 5:00 pm on the deadline date.</p>
<p>Section 10. That § 12-5-3.14 be amended to read as follows:</p>	<p>12-5-3.14. Notice by candidates or supporters of intention to enter presidential primary. Any candidate, committee, or group supporting a candidate in any presidential primary, shall, by the last Tuesday in March prior to the presidential primary election, notify the secretary of state of an intention to have the name of the candidate placed on the presidential primary election ballot or submit a slate of candidates or both.</p>	<p>12-5-3.14. Any candidate, committee, or group supporting a candidate in any presidential primary, shall, by five p.m. on the first Tuesday in March prior to the presidential primary election, notify the secretary of state of an intention to have the name of the candidate placed on the presidential primary election ballot or submit a slate of candidates or both.</p>	<p>Changes the deadline date to notify the secretary of state of an intention to have the name of a presidential candidate placed on the presidential primary ballot from last Tuesday in March to the first Tuesday in March.</p>

<p>Section 11. That § 23-3-43.1 be amended to read as follows:</p>	<p>23-3-43.1. Certification of qualification of candidate for county sheriff. Any candidate for election to the office of county sheriff shall file with the county auditor by the last Tuesday of March of the election year a certification of qualification issued by the law enforcement officers standards commission that the candidate meets the qualifications provided in § 23-3-43. However, any candidate appointed to fill a vacancy by a party central committee pursuant to § 12-6-56 shall file with the county auditor a certification of qualification by the second Tuesday in August. Any candidate who files an independent nominating petition shall file with the county auditor a certification of qualification by the first Tuesday after the first Monday of June. A sheriff appointed to fill a vacancy by the county commission shall file with the county auditor a certification of qualification within thirty days of the appointment. Failure to file a certification shall prevent the candidate's name from being placed on the ballot.</p>	<p>23-3-43.1. Any candidate for election to the office of county sheriff shall submit to the county auditor by the first Tuesday of March of the election year a certification of qualification issued by the law enforcement officers standards commission that the candidate meets the qualifications provided in § 23-3-43. However, any candidate appointed to fill a vacancy by a party central committee pursuant to § 12-6-56 shall submit to the county auditor a certification of qualification by the second Tuesday in August. Any candidate who submits an independent nominating petition shall submit to the county auditor a certification of qualification by the last Tuesday in April. A sheriff appointed to fill a vacancy by the county commission shall submit to the county auditor a certification of qualification within thirty days of the appointment. Failure to submit a certification shall prevent the candidate's name from being placed on the ballot.</p>	<p>1. Changes submission deadline date for the certification of qualification for any candidate for county sheriff from the last Tuesday in March to the first Tuesday in March. 2. Changes the submission deadline date for the certification of qualification an independent candidate for county sheriff from the first Monday in June to the last Tuesday in April.</p>
<p>Section 12. That § 12-5-1 be amended to read as follows:</p>	<p>12-5-1. Organization and dissolution of political party. A new political party may be organized and participate in the primary election by filing with the secretary of state not later than the last Tuesday of March at five p.m. prior to the date of the primary election, a written declaration signed by at least two and one-half percent of the voters of the state as shown by the total vote cast for Governor at the last preceding gubernatorial election, which declaration shall contain: (1) The name of the proposed party; and(2) A brief statement of the principles thereof; whereupon the party shall, under the party name chosen, have all the rights of a political party whose ticket was on the ballot at the preceding general election. No signature on a declaration is valid if the declaration was signed more than one year prior to filing of the declaration. A political party loses the right to participate in the primary election for failure to meet the definition of political party as defined in § 12-1-3. The national and state chairperson of a recognized political party may request in writing, subscribed and sworn to by each chairperson before any officer qualified to administer oaths and take acknowledgments, to no longer be recognized as a political party. The political party shall also comply with the requirements for dissolution pursuant to chapter 12-27.</p>	<p>12-5-1. A new political party may be organized and participate in the primary election by submitting to the secretary of state not later than the first Tuesday of March at five p.m. prior to the date of the primary election, a written declaration signed by at least two and one-half percent of the voters of the state as shown by the total vote cast for Governor at the last preceding gubernatorial election, which declaration shall contain: (1) The name of the proposed party; and (2) A brief statement of the principles thereof; whereupon the party shall, under the party name chosen, have all the rights of a political party whose ticket was on the ballot at the preceding general election. No signature on a declaration is valid if the declaration was signed more than one year prior to filing of the declaration. A political party loses the right to participate in the primary election for failure to meet the definition of political party as defined in § 12-1-3. The national and state chairperson of a recognized political party may request in writing, subscribed and sworn to by each chairperson before any officer qualified to administer oaths and take acknowledgments, to no longer be recognized as a political party. The political party shall also comply with the requirements for dissolution pursuant to chapter 12-27.</p>	<p>Changes the deadline to submit petitions to organize a new political party to the secretary of state from the last Tuesday in March at five p.m. to the first Tuesday in March at five p.m.</p>
<p>Section 13. That § 12-6-8.1 be amended to read as follows:</p>	<p>12-6-8.1. Withdrawal from primary election--Time and place of filing. Any person may have his or her name withdrawn from the primary election by making a written request under oath. The request shall be filed with the officer with whom the nominating petition was filed pursuant to § 12-6-4, not later than two days after the last Tuesday in March at five p.m. If the request is mailed by registered mail not later than two days after the last Tuesday in March at five p.m., the request is properly filed. No name that is withdrawn pursuant to this section may be printed on the ballots to be used at the election.</p>	<p>12-6-8.1. Any person may have his or her name withdrawn from the primary election by making a written request under oath. The request shall be submitted to the officer with whom the nominating petition was submitted pursuant to § 12-6-4, not later than two days after the first Tuesday in March at five p.m. No name that is withdrawn pursuant to this section may be printed on the ballots to be used at the election</p>	<p>1. Changes the date to submit to the secretary of state a withdrawal request to withdraw from a primary election from not later than two days after the last Tuesday in March at five p.m. to not later than two days after the first Tuesday in March. 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail; however the petition must be received in the Office of the Secretary of State by 5:00 pm on the deadline date.</p>

<p>Section 14. That § 12-5-4 be amended to read as follows:</p>	<p>12-5-4. Statement filed by candidates for precinct committee--Time of filing--Contents. A candidate for party precinct committeeman or committeewoman shall file a statement in writing, with the county auditor of the county in which he or she is a candidate, not later than the last Tuesday in March before the primary election. The statement shall state that the candidate: (1) Is a resident of the precinct; (2) Is registered as a member of the political party named in the statement; (3) Is a candidate for precinct committeeman or committeewoman, as the case may be; (4) Is desirous of serving in that position; and (5) If elected, will qualify and serve in the office.</p> <p>The statement, when properly filed, shall operate as a nominating petition for that office.</p>	<p>12-5-4. A candidate for party precinct committeeman or committeewoman shall submit a statement in writing, with the county auditor of the county in which he or she is a candidate, not later than the first Tuesday in March before the primary election. The statement shall state that the candidate: (1) Is a resident of the precinct; (2) Is registered as a member of the political party named in the statement; (3) Is a candidate for precinct committeeman or committeewoman, as the case may be; (4) Is desirous of serving in that position; and (5) If elected, will qualify and serve in the office. The statement, when properly submitted, shall operate as a nominating petition for that office.</p>	<p>Changes the date to submit to the county auditor a written statement to be a candidate for a party precinct committeeman/woman from not later than the last Tuesday in March to not later than the first Tuesday in March.</p>
<p>Section 15. That § 9-13-7 be amended to read as follows:</p>	<p>9-13-7. Nominating petition--Time of filing--Data concerning candidate--Form--Acceptance--Effect. No candidate for elective municipal office may be nominated unless a nominating petition is filed with the finance officer no later than five p.m. on the last Friday in February preceding the day of election. The petition shall be considered filed if it is mailed by registered mail by five p.m. on the last Friday in February before the election. The petition shall contain the name, residence address, and mailing address of the candidate and the office for which the candidate is nominated and shall be on the form prescribed by the State Board of Elections. The signer's post office box number may be given in lieu of a street address if the signer lives within a municipality of the second or third class. The finance officer may only accept nominating petitions that are on the prescribed form and were circulated and submitted pursuant to the provisions in chapters 9-13 and 12-6. If the nominating petition meets the statutory requirements, the filing of the petition constitutes nomination.</p>	<p>9-13-7. No candidate for elective municipal office may be nominated unless a nominating petition is submitted to the finance officer no later than five p.m. on the last Friday in February preceding the day of election. The petition shall contain the name, residence address, and mailing address of the candidate and the office for which the candidate is nominated and shall be on the form prescribed by the State Board of Elections. The signer's post office box number may be given in lieu of a street address if the signer lives within a municipality of the second or third class. The finance officer may only accept nominating petitions that are on the prescribed form and were circulated and submitted pursuant to the provisions in chapters 9-13 and 12-6. If the nominating petition meets the statutory requirements, the filing of the petition constitutes nomination.</p>	<p>Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail; however the petition must be received in the Municipal Finance Office by 5:00 pm on the deadline date.</p>
<p>Section 16. That § 13-7-6 be amended to read as follows:</p>	<p>13-7-6. Filing of candidate's nominating petition--Formal declaration of candidacy--Contents, circulation, and verification of nominating petition. No candidate for elective school board membership may be nominated unless such person is a resident voter of the school district and unless a nominating petition has been filed on such person's behalf with the business manager of the school district. The nominating petition shall be filed no later than five p.m. on the Friday thirty-nine days before the date of the election. The petition is considered filed if it is mailed by registered mail by five p.m. on the Friday thirty-nine days before the election. A formal declaration of a candidate shall be signed by the candidate before the circulation of the petition. The petition shall be signed by not less than twenty voters of the school district or if the school district is divided into school board representation areas, the petition shall be signed by not less than twenty voters who reside within the school board representation area. No petition may be circulated until ten weeks prior to the election. There shall be added by either the signer or the circulator the signer's place of residence and date of signing. The petition shall be verified under oath by the person circulating it. The filing of the nominating petition shall constitute nomination and will entitle the candidate to have the candidate's name placed on the ballot for the term the candidate specifies on the petition only upon verification signed by the business manager that the nominating petition contains the minimum number of signatures and that the candidate is a resident voter.</p>	<p>13-7-6. No candidate for elective school board membership may be nominated unless such person is a resident voter of the school district and unless a nominating petition has been submitted on such person's behalf with the business manager of the school district. The nominating petition shall be submitted no later than five p.m. on the Friday thirty-nine days before the date of the election. A formal declaration of a candidate shall be signed by the candidate before the circulation of the petition. The petition shall be signed by not less than twenty voters of the school district or if the school district is divided into school board representation areas, the petition shall be signed by not less than twenty voters who reside within the school board representation area. No petition may be circulated until ten weeks prior to the election. There shall be added by either the signer or the circulator the signer's place of residence and date of signing. The petition shall be verified under oath by the person circulating it. The filing of the nominating petition shall constitute nomination and will entitle the candidate to have the candidate's name placed on the ballot for the term the candidate specifies on the petition only upon verification signed by the business manager that the nominating petition contains the minimum number of signatures and that the candidate is a resident voter.</p>	<p>Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail; however the petition must be received in the School Business Manager's office by 5:00 pm on the deadline date.</p>

<p>Section 17. That § 13-7-10.2 be amended to read as follows:</p>	<p>13-7-10.2. Notices and nomination procedure for certain joint elections. If the joint election provided for in § 13-7-10.1 is held on the second Tuesday in April, no candidate for elective school board membership may be nominated unless the candidate is a resident voter of the school district and unless a nominating petition has been filed on the candidate's behalf with the business manager of the school district no later than the last Friday in February at five p.m. prior to the date of the election. If the petition is mailed by registered mail by the last Friday in February at five p.m. before the election, it shall be considered filed. A formal declaration of a candidate shall be signed by the candidate before the circulation of the petition. The petition shall be signed by not less than twenty voters of the school district. No petition may be circulated until the last Friday in January before the election. There shall be added by either the signer or the circulator the signer's place of residence and date of signing. The petition shall be verified under oath by the person circulating the petition. The filing of the nominating petition shall constitute nomination and will entitle the candidate to have the candidate's name placed on the ballot for the term the candidate specifies on the petition only upon verification signed by the business manager that the nominating petition contains the minimum number of signatures and that the candidate is a resident voter. Publication of the notice of the election provided for in § 13-7-10.1 shall be in accordance with § 13-7-8.</p>	<p>13-7-10.2. If the joint election provided for in § 13-7-10.1 is held on the second Tuesday in April, no candidate for elective school board membership may be nominated unless the candidate is a resident voter of the school district and unless a nominating petition has been submitted on the candidate's behalf with the business manager of the school district no later than the last Friday in February at five p.m. prior to the date of the election. A formal declaration of a candidate shall be signed by the candidate before the circulation of the petition. The petition shall be signed by not less than twenty voters of the school district. No petition may be circulated until the last Friday in January before the election. There shall be added by either the signer or the circulator the signer's place of residence and date of signing. The petition shall be verified under oath by the person circulating the petition. The filing of the nominating petition shall constitute nomination and will entitle the candidate to have the candidate's name placed on the ballot for the term the candidate specifies on the petition only upon verification signed by the business manager that the nominating petition contains the minimum number of signatures and that the candidate is a resident voter. Publication of the notice of the election provided for in § 13-7-10.1 shall be in accordance with § 13-7-8</p>	<p>Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail; however the petition must be received in the School Business Manager's office by 5:00 pm on the deadline date.</p>
<p>Section 18. That § 46A-3B-4 be amended to read as follows:</p>	<p>46A-3B-4. Nomination of director candidates. A director candidate may be nominated by a petition signed by at least twenty-five registered voters in the director area to be represented by the candidate. Nominating petitions shall be made available at the water development district office, the secretary of state's office, and the respective county auditors' offices on forms prescribed by the state election board and filed with the secretary of state not prior to eight a.m., January first, and not later than five p.m., the last Tuesday of March prior to the date of the primary election. If a petition is mailed to the secretary of state's office by registered mail by five p.m., the last Tuesday of March prior to the primary election, it is considered filed. For the initial election, director nominating petitions shall be made available by the Department of Environment and Natural Resources and shall be filed with the department not later than five p.m., the first Tuesday of August before the general election or in the case of a special election under § 46A-3B-1, not later than thirty days before the date set for the special election.</p>	<p>46A-3B-4. A director candidate may be nominated by a petition signed by at least twenty-five registered voters in the director area to be represented by the candidate. Nominating petitions shall be made available at the water development district office, the secretary of state's office, and the respective county auditors' offices on forms prescribed by the state election board and submitted with the secretary of state not prior to December first of the year preceding the election, and not later than five p.m., the first Tuesday of March prior to the date of the primary election. For the initial election, director nominating petitions shall be made available by the Department of Environment and Natural Resources and shall be received by the department not later than five p.m., the first Tuesday of August before the general election or in the case of a special election under § 46A-3B-1, not later than thirty days before the date set for the special election.</p>	<ol style="list-style-type: none"> 1. Changes the petition circulation time for water development district director candidates from not prior to January first at 8:00 am and not later than the first Tuesday in August at 5:00 p.m. to not prior to December first and not later than the first Tuesday in August at 5:00 p.m. 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail; however the petition must be received in the Office of the Secretary of State or respective county auditors' offices by 5:00 pm on the deadline date.

<p>Section 19. That § 12-7-7 be amended to read as follows:</p>	<p>12-7-7. Certificate of nomination for President or Vice President of the United States-- Filing deadlines--Number of signatures. Any candidate for President or Vice President of the United States who is not nominated by a primary election may be nominated by filing with the secretary of state, not prior to January first at 8:00 a.m. and not later than the first Tuesday in August at 5:00 p.m. prior to the election, a certificate of nomination which shall be executed as provided in chapter 12-6. If the certificate of nomination is mailed by registered mail by the first Tuesday in August at 5:00 p.m. prior to the election, it is timely submitted. The number of signatures required may not be less than one percent of the total combined vote cast for Governor at the last certified gubernatorial election within the state. An independent candidate for President shall file a declaration of candidacy and a certification of the candidate's selection for Vice President with the secretary of state prior to circulation of the candidate's nominating petitions. The candidate and the candidate's selection for Vice President shall sign the certification before it is filed. The State Board of Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the certificate of nomination and the certification for Vice President.</p>	<p>12-7-7. Any candidate for President or Vice President of the United States who is not nominated by a primary election may be nominated by submitting with the secretary of state, not prior to December first and not later than the first Tuesday in August at 5:00 p.m. prior to the election, a certificate of nomination which shall be executed as provided in chapter 12-6. The number of signatures required may not be less than one percent of the number of registered voters having no party affiliation and voters registered as other, the day following the official state canvass at the last general election within the state. An independent candidate for President shall submit a declaration of candidacy and a certification of the candidate's selection for Vice President with the secretary of state prior to circulation of the candidate's nominating petitions. The candidate and the candidate's selection for Vice President shall sign the certification before it is submitted. The State Board of Elections shall promulgate rules pursuant to chapter 1-26 prescribing the forms for the certificate of nomination and the certification for Vice President.</p>	<ol style="list-style-type: none"> 1. Changes the petition circulation date for a candidate for President or Vice President who is not nominated by a primary election from not prior to January first at 8:00 a.m. and not later than the first Tuesday in August at 5:00 p.m. to not prior to December first and not later than the first Tuesday in August at 5:00 p.m. 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail, however the petition must be received in the Office of the Secretary of State by 5:00 pm on the deadline date. 3. The base for calculating the number of signers required changes from may not be less than one percent of the total combined vote cast for Governor at the last certified gubernatorial election within the state to not be less than one percent of the number of registered voters having no party affiliation and voters registered as other, the day following the official state canvass at the last general election within the state.
<p>Section 20. That § 12-6-56 be amended to read as follows:</p>	<p>12-6-56. Vacancies in party ticket to be filled by party committee. If a vacancy occurs by reason of death or withdrawal after a primary election, a party candidate for public office may be replaced by a new nominee if a meeting of the appropriate party central committee is held and the results are certified to the appropriate official within the times prescribed by § 12-8-6. If the vacancy is a party candidate for presidential elector or statewide office, the vacancy shall be filled by the State Party Central Committee. If the vacancy is a party candidate for public office other than presidential elector or statewide office, the vacancy shall be filled by a vote of county party central committee members in attendance who reside in the affected district.</p>	<p>12-6-56. If a vacancy occurs by reason of a death or a withdrawal as authorized by section 21 of this Act after a primary election, a party candidate for public office may be replaced by a new nominee if a meeting of the appropriate party central committee is held and the results are certified to the appropriate official within the times prescribed by § 12-8-6. If the vacancy is a party candidate for presidential elector or statewide office, the vacancy shall be filled by the State Party Central Committee. If the vacancy is a party candidate for public office other than presidential elector or statewide office, the vacancy shall be filled by a vote of county party central committee members in attendance who reside in the affected district.</p>	<p>Changes the requirement on when a party central committee can fill a vacancy caused by the withdrawal of a candidate after a primary election. SB 69 will only allow a vacancy to be filled by the party central committee if the candidate withdraws for one of the reasons outlined in Section 21. These reasons are outlined in the row below.</p>
<p>Section 21. That chapter 12-6 be amended by adding thereto a NEW SECTION to read as follows:</p>	<p>NEW SECTION</p>	<p>If a party candidate for public office withdraws after filing petitions with the secretary of state, the appropriate party central committee may make a replacement nominee only if: (1) The party candidate: (a) Withdraws because of personal illness or illness of an immediate family member and the illness prevents the candidate from performing the duties of the office sought; and (b) Submits with the withdrawal request a form signed by a licensed physician verifying that the provisions of subsection (a) apply to the candidate; (2) There is no other nominee for the office sought by the withdrawing candidate as of the time of the withdrawal; (3) The party candidate has been elected or appointed to fill a vacancy in another elective office which duties conflict by law with the duties of the office sought, has become the nominee for another elective office, it has been determined that the party candidate's employment conflicts by law with the duties of the office sought, or is deceased; or (4) The party candidate permanently moves from his or her physical address stated in the nominating petition filed with the secretary of state, and requests in writing, subscribed and sworn to by the candidate before any officer qualified to administer oaths and take acknowledgments that the candidate has not resided in the district for a period of thirty consecutive calendar days and has no intention of resuming residency in the district.</p>	<p>If a party candidate for public office withdraws after filing petitions with the secretary of state, the appropriate party central committee may make a replacement nominee only if: (1) The party candidate: (a) Withdraws because of personal illness or illness of an immediate family member and the illness prevents the candidate from performing the duties of the office sought; and (b) Submits with the withdrawal request a form signed by a licensed physician verifying that the provisions of subsection (a) apply to the candidate; (2) There is no other nominee for the office sought by the withdrawing candidate as of the time of the withdrawal; (3) The party candidate has been elected or appointed to fill a vacancy in another elective office which duties conflict by law with the duties of the office sought, has become the nominee for another elective office, it has been determined that the party candidate's employment conflicts by law with the duties of the office sought, or is deceased; or (4) The party candidate permanently moves from his or her physical address stated in the nominating petition filed with the secretary of state, and requests in writing, subscribed and sworn to by the candidate before any officer qualified to administer oaths and take acknowledgments that the</p>

<p>Section 22. That § 12-1-3 be amended by adding thereto NEW SUBDIVISIONS to read as follows:</p>	<p>NEW SECTION</p>	<p>"Independent" or "no party affiliation," any voter who writes Independent, I, Ind, the field is blank, no party affiliation, no party, no choice, nonpartisan, or line crossed off in the Choice of Party field on the voter registration form; "Independent candidate," any registered voter who is not registered as a member of a recognized political party and who is a candidate for office; "Other," any voter who writes any other nonrecognized political party in the Choice of Party field on the voter registration form.</p>	<p>SB 69 defines "independent", "no party affiliation" and "other" which is used when a person registers to vote and in the calculation of the number of signatures needed for independent candidates and new political party candidates.</p>
<p>Section 23. That § 12-8-6 be amended to read as follows:</p>	<p>12-8-6. Time of filing certificates of nomination. Nominations by party committee to fill vacancies occurring in nominations made in primary elections and certificates of nomination to be filed with the secretary of state and those to be filed with the county auditor shall be filed not later than the second Tuesday in August at five p.m. or mailed by registered mail by that date and time prior to the election.</p>	<p>12-8-6. A party committee may fill a vacancy created by a nomination made in a primary election. The party committee shall certify the nomination to the secretary of state or the county auditor not later than the second Tuesday in August at five p.m.</p>	<p>1. Changes the date when the party committee needs to certify nominates to the secretary of state or the county auditor for replacement candidates due to a withdrawal from not later than the second Tuesday in August at five p.m. to not later than the second Tuesday in August at five p.m. 2. Removes the option for a candidate to mail his/her petitions on the deadline date by registered mail and still be considered timely received. A candidate can still mail their petitions by registered mail; however the petition must be received in the Office of the Secretary of State by 5:00 pm on the deadline date.</p>
<p>Section 24. That § 12-5-1.4 be amended to read as follows:</p>	<p>12-5-1.4. Nominating petitions of new party primary candidates. If a political party qualifies for the primary ballot under § 12-5-1, each candidate intending to participate in a primary election shall file a nominating petition pursuant to § 12-6-4. In each primary election following the qualification of a political party and prior to the next gubernatorial election, each: (1) State and federal candidate for that party shall file a petition bearing signatures of at least two hundred fifty registered voters in that party; and (2) Legislative and county candidate for that party shall file a petition bearing signatures of at least five registered voters in that party.</p>	<p>12-5-1.4. If a political party qualifies for the primary ballot under § 12-5-1, each candidate intending to participate in a primary election shall file a nominating petition pursuant to § 12-6-4. In each primary election following the qualification of a political party and prior to the next gubernatorial election, each: (1) State and federal candidate for that party shall file a petition bearing signatures of not less than two hundred fifty registered voters in that party or not less than one percent of the registered voters having no party affiliation including any registered voters of the new political party and voters registered as other in the state at the last general election; and (2) Legislative and county candidate for that party shall file a petition bearing signatures of not less than fifty voters in that party or not less than one percent of the registered voters having no party affiliation including any registered voters of the new political party and voters registered as other in that county or district.</p>	<p>Changes the number of signatures required for newly formed political party candidates:</p> <ul style="list-style-type: none"> • State and federal candidates from needing 250 voters in that party to not less than two hundred fifty registered voters in that party or not less than one percent of the registered voters having no party affiliation including any registered voters of the new political party and voters registered as other in the state at the last general election. • Legislative and county candidates from needing at least five registered voters in that party to not less than fifty voters in that party or not less than one percent of the registered voters having no party affiliation including any registered voters of the new political party and voters registered as other in that county or district.